

## **Specific Questions for Public Comment Pertaining to Development of CAIR, BART and RACT Rules**

We invite your comments on all aspects of the rule options. Comments are due April 26, 2006. Submit comments to:

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Similar to the procedure used by the EPA, we are soliciting comments on specific aspects of the rule options. Below is a list of these questions.

### **Specific Questions for Public Comment – CAIR**

#### Baseline

1. What years of data are sufficient to calculate a reasonable baseline?
2. How frequently should the baseline be updated?

#### Allocations

3. Should allocations be distributed at the unit, plant or generator level?
4. Should allocations be based on heat input or generation output?
5. For heat input based allocations should a fuel adjustment factor (fuel weighting) be used in determining allocations?
6. Should gross or net output be used for output based allocations?
7. Where should monitoring devices be physically located in monitoring generation output (net or gross generation)?

#### Set-Asides

8. What is the appropriate size of the new source and the RE/EE set-aside?
9. What is an appropriate timeframe for rolling new sources from the “set-aside” pool into the main allocation pool. What implications are associated with a longer or shorter period?
10. Should any unused new source set-aside allowances be banked for future use? What type of structure should be used if the new source set-aside is over-subscribed?
11. Should any unused RE/EE allowances be banked in the set-aside for future use? What type of structure should be used if the RE/EE set-aside is over-subscribed?
12. Should the set-aside structure permit aggregation of small RE/EE sources and qualification for set-aside allowances.

#### Option Two

13. Should a retirement ratio under this option be implemented on a unit-by-unit basis or one system-wide ratio developed for each regulatory requirement?
14. The retirement ratios under the CAIR SO<sub>x</sub> program are applied according to the distribution year of the allocation. An alternative is to apply the ratio according to the year of use for compliance. A second aspect is to distribute initial allocations based on the RACT or BART requirement and then apply a ratio to additional allowances obtained by the source for compliance. What approaches are most effective based on implementation, economics, and environmental results?

15. What factors should be considered in adjusting retirement ratios to balance flexibility and address uncertainty associated with market trading programs?

**Specific Questions for Public Comment – RACT**

1. Are proposed emission limits technically feasible and cost-effective?
2. What level of control cost should be considered cost-effective?
3. Can control equipment associated with emission limitations be implemented by the 2009 ozone season?
4. Should RACT sources be allowed to trade or average? If so what level of trading is appropriate?
5. Should a provision for a case-by-case RACT determination be made available as an alternative to the categorical emission limits?
6. Are there other actions or source categories that should be considered for a stationary source RACT program?
7. Should RACT and RACM be addressed at the same time for RACT affected sources?
8. What factors regarding RACT or RACM should be considered in delaying the attainment date to 2012 and the consequent lowering of the major source threshold for RACT?

**Specific Questions for Public Comment – BART**

1. Are there any alternative programs as BART-substitute beyond the options presented?
2. Are there comments regarding pollutants to be addressed in the BART-rule?
3. Are there comments regarding how to evaluate the criteria for BART determination?
4. What deviations from the EPA-Guidelines should be considered in the BART-rule?